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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 RAS ADISA GAMBA OLUWA,

No. CIV-S-04-0233 MCE/GGH P

12 Plaintiff,

13 v.

ORDER

14 DIRECTOR OF CALIFORNIA
15 DEPT. OF CORRECTIONS, ET AL.,

16 Defendants.
_____ /

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On July 7, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on all parties and which
24 contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 Plaintiff has filed objections to the findings and
2 recommendations.

3 In accordance with the provisions of 28 U.S.C.
4 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
5 de novo review of this case. Having carefully reviewed the
6 entire file, the court finds the findings and recommendations to
7 be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The findings and recommendations filed July 7, 2005, are
10 adopted in full;

11 2. Defendants' September 13, 2004 motion to dismiss is
12 granted as to defendant Alameida and he is dismissed from this
13 action and the motion is denied as to all other grounds;

14 3. This action proceeds only against defendant Woodford, in
15 her official capacity, for prospective injunctive relief only;
16 and

17 4. Plaintiff's October 12, 2004 (apparently re-served on
18 November 19, 2004), motion for summary judgment is denied
19 without prejudice for plaintiff's failure to file the motion in
20 compliance with Local Rule 56-260(a).

21 DATED: September 7, 2005

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25 MORRISON C. ENGLAND, JR.
26 UNITED STATES DISTRICT JUDGE